

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

1. (Currently Amended) An absorbent article having a pair of longitudinal side edges and a first end edge, a second end edge, a first waist panel adjacent to the first end edge, a second waist panel adjacent to the second end edge, a crotch panel positioned between the first and second waist panels, and a side panel extending laterally outwardly from the first or second waist panel, the absorbent article comprising a liquid pervious topsheet, an absorbent core disposed underneath the topsheet, and a chassis layer, wherein the first or second waist panel comprises a portion of the chassis layer, the chassis layer including a plurality of spaced discontinuities regularly disposed in at least a portion of the first or second waist panel such that when the waist panel is subject to tension the discontinuities provide openings that extend through the chassis layer thereby providing the chassis layer with extensibility in the transverse; and an extensibility controlling means to control the extensibility of the chassis layer, wherein the extensibility controlling means is selected from the group consisting of an elastic material and an inelastic material, ~~and wherein~~ the extensibility controlling means exerting a tension force of greater than or equal to 125 grams/25mm when the chassis layer extends beyond 20% to inhibit[[s]] the chassis layer from extending beyond extensibility causing breakage of the chassis layer.
2. (Original) The absorbent article of Claim 1 wherein the extensibility causing breakage of the chassis layer is more than 20 %.
3. (Canceled)
4. (Original) The absorbent article of Claim 3 wherein the extensibility controlling means is disposed in the first or second waist panel in the transverse direction across at least the transverse width of the plurality of spaced discontinuities.

5. (Original) The absorbent article of Claim 4 wherein the extensibility controlling means is disposed along the end edge.
6. (Original) The absorbent article of Claim 5 wherein the extensibility controlling means is a stretchable elastic material.
7. (Original) The absorbent article of Claim 1 wherein the chassis layer comprises a liquid impervious material.
8. (Original) The absorbent article of Claim 1 wherein the absorbent article comprises a liquid impervious sheet disposed between the absorbent core and the chassis layer.
9. (Original) The absorbent article of Claim 7 wherein the absorbent core does not extend into the first or second waist panel in which the discontinuities are provided.
10. (Original) The absorbent article of Claim 8 wherein the absorbent core does not extend into the first or second waist panel in which the discontinuities are provided.
11. (Previously Presented) The absorbent article of Claim 1 wherein the discontinuities are selected from the group consisting of: slits, cuts, and perforations.
12. (Previously Presented) The absorbent article of Claim 11 wherein the discontinuities comprise a plurality of cuts wherein the cuts comprise rectilinear cuts, curvilinear cuts, or combinations thereof.
13. (Previously Presented) The absorbent article of Claim 1 wherein the discontinuities are regularly disposed in the chassis layer.
14. (Previously Presented) The absorbent article of Claim 1 wherein the discontinuities are oriented such that the discontinuities extend in a longitudinal direction.

15. (Previously Presented) The absorbent article of Claim 14 wherein the discontinuities are aligned such that the discontinuities form a plurality of laterally spaced columns which extend in the longitudinal direction.
16. (Previously Presented) The absorbent article of Claim 1 wherein the discontinuities comprise a plurality of edges wherein the edges are treated to strengthen the edges.
17. (Previously Presented) The absorbent article of Claim 1 wherein the discontinuities are arranged such that the application of a tensile force to the chassis layer results in a plurality of equal area openings having an area from about  $1 \text{ mm}^2$  to about  $2500 \text{ mm}^2$ .
18. (Previously Presented) The absorbent article of Claim 1 wherein the discontinuities are arranged such that the application of a tensile force to the chassis layer results in a plurality of openings having an area from about  $1 \text{ mm}^2$  to about  $2500 \text{ mm}^2$ .